REMARKS

In view of the following remarks, reconsideration and withdrawal of the rejections to the application in the Office Action is respectfully requested.

Rejection Of Claims Under 35 U.S.C. §102(b) Over Bull, et al.

Claims 12 through 18 were rejected under 35 U.S.C. §102(b) as being anticipated by Bull, et al. (U.S. Patent Application No. 2001/0006714A1). With regard to the rejection of these claims, Applicants respectfully traverse in that the Bull, et al. reference in no way teaches or suggests the invention as claimed.

The Bull, et al. reference is directed to graphic or informational articles that may be applied to a surface of a translucent or substantially clear substrate so that the image may be viewed through the substrate. The graphic articles include a perforated imageable component and a non-perforated attachment component. The imageable component includes an opaque, perforated imageable film layer that accepts an image layer on its first major surface. On the second major surface of the imageable film layer, a perforated, opaque light absorbing film is applied. The attachment component includes a scrim layer of a polymeric film. The scrim layer is unperforated and includes a pressure-sensitive adhesive on its first major surface and a heat-activated adhesive on its second major surface.

Conversely, the present invention is directed to a surface modifying laminate comprising a perforated carrier film having an upper surface and a lower surface. The film is at least partially covering a surface to be modified. The laminate also includes an indicia-containing layer disposed on at least a portion of the lower surface of the carrier film. The carrier film is a transparent film, such that the indicia-containing layer is visible through the carrier film. Contrary to the Examiner's assertions, Bull, et al. does not disclose a carrier film which is transparent. Rather, the Bull, et al. reference requires that "the imageable component 12 is a multi-layer film construction that includes an opaque, imageable film layer 16 and an opaque light-absorbing layer 22." (Emphasis added. See paragraph 28, lines 5 through 7.) The term opaque is defined by the Bull, et al. reference as meaning "impenetrable by visible light, i.e., neither transparent nor translucent." See paragraph 28, lines 7 through 9. No mention of a transparent carrier layer is made by the Bull, et al. reference. Rather, an opaque, neither

transparent nor translucent layer, is taught. Therefore, Bull, et al. fails to teach or suggest a laminate structure as recited in claims 12 through 18.

Rejection Of Claims Under 35 U.S.C. §103(a) Over Bull, et al. In View Of Orensteen, et al.

Claims 1 through 11 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bull, et al. in view of Orensteen, et al. (U.S. Patent No. 5,508,105). Applicants respectfully traverse in that a combination of Bull, et al. in view of Orensteen, et al. in no way teaches, suggests, or renders obvious the invention as claimed.

The Orensteen, et al reference is directed to polymeric sheeting material directly thermally printed upon with a thermal printing system and a resin-based colorant/binder. The polymeric sheeting materials comprise a core sheet and a thermally print receptive surface on the core sheet. The Orensteen, et al. reference is also directed to signage articles made from the polymeric sheeting materials. The signage articles are configured to have a desired combination of frangibility, durability, retroreflectivity and/or low production costs.

Conversely, the present invention includes a surface modifying laminate comprising a carrier film having an upper surface and a lower surface. The carrier film is at least partially covering a surface to be modified. The laminate also includes an indicia-containing layer disposed on at least a portion of the lower surface of the carrier film. A cured top coat is disposed on at least a portion of the upper surface of the carrier film. The carrier film is a transparent film, such that the indicia-containing layer is visible through the carrier films. The top coat is a sealant or finish.

As previously mentioned, the Bull, et al. reference does not teach or suggest utilization of a transparent carrier film, rather, the Bull, et al. reference requires use of an opaque carrier film to accomplish the objectives of the invention thereof. The Orensteen, et al. reference was cited by the Examiner as including a cured top coat. The Examiner pointed to the multi-function coat of Orensteen. However, unlike the finish or sealant of the present invention which comprises the top coat thereof, the Orensteen top coat is described as "sheeting" throughout the Orensteen reference. Additionally, such multi-functional layer is directly thermally print receptive. The top coat of the present invention is not a sheeting material, but rather is a sealant or finish which is formed in situ by application of any number of liquid sealant or finishes. Clearly, neither the Bull, et al. or Orensteen, et al. references teach each and every limitation of the claimed

invention and neither teach, suggest, or render obvious the present invention. Therefore, Bull, et al. in combination with Orensteen, et al. cannot properly render the present invention unpatenable. Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that all of the claims remaining in the application are in condition for allowance and favorable action thereon is respectfully requested. If Examiner Chevalier has any questions, or believes that a telephone discussion would expedite prosecution, Examiner Chevalier is invited to contact the undersigned at the telephone number listed below.

Respectfully Submitted,

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